

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

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|---------------------------------|---|---------------------------------|
| GOLMAN-HAYDEN CO., INC., et al. | § | |
| | § | |
| Plaintiffs, | § | |
| | § | |
| v. | § | Civil Action No. 3:07-CV-1723-K |
| | § | |
| ROGER M. SUTTON, et al., | § | |
| | § | |
| Defendants. | § | |
| _____ | § | |
| SUNKIST GROWERS, INC. | § | |
| | § | |
| Intervenor Plaintiff, | § | |
| | § | |
| v. | § | |
| | § | |
| ROGER M. SUTTON, et al. | § | |
| | § | |
| Intervenor Defendants. | § | |

MEMORANDUM OPINION AND ORDER

Before the Court is Intervenor Plaintiff Sunkist Growers, Inc. (“Sunkist”) Motion for Default Judgment against Intervenor Defendant Mustang Fruit & Vegetable Brokerage, Inc. (doc. 61). It appears to the Court that this motion is unopposed and that the Clerk of Court entered the Default of Intervenor Defendant Mustang Fruit & Vegetable Brokerage, Inc., upon Sunkist’s Request for Entry of Default by Clerk (doc. 54), filed on March 30, 2009.

Accordingly, finding merit in Sunkist's motion, the Court **GRANTS** the default judgment. The Court awards a principal amount of \$39,674.34 plus prejudgment interest of 6% per annum from March 19, 2007, amounting to \$4,629.17, for a total of \$44,303.51 to Sunkist. *See* TEX. FIN. CODE ANN. § 302.002 (Vernon's 2009) (statutory interest rate when parties do not agree to a rate).

SO ORDERED.

Signed July 28th, 2009.

A handwritten signature in cursive script, reading "Ed Kinkeade", written in black ink.

ED KINKEADE
UNITED STATES DISTRICT JUDGE